

3-21-01

# UTILITY PATENT APPLICATION TRANSMITTAL

## (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
BEAR-006CIPTotal Pages in this Submission  
64

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**"Integrin Binding Motif Containing Peptides and Methods of Treating Skeletal Diseases"**

and invented by:

**Yoshinari Kumagai, Russel Blacher and Toshiyuki Yoneda**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation    ☐ Divisional    ☒ Continuation-in-part (CIP)    of prior application No.: 09/641,034

Which is a:

☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 33 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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## Applicati n El ments (C ntinued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)  
a. ☐ Formal      b. ☒ Informal      Number of Sheets 6
4. ☒ Oath or Declaration  
a. ☐ Newly executed (original or copy)      ☒ Unexecuted  
b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)  
c. ☒ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☒ Genetic Sequence Submission (if applicable, all must be included)  
a. ☒ Paper Copy  
b. ☒ Computer Readable Copy  
c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing  
☐ First Class      ☒ Express Mail (Specify Label No.): EL 563 388 639 US

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(Only for new nonprovisional applications under 37 CFR 1.53(b))

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## Acc mpanying Applicati n Parts (Continu d)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17. ☒ Additional Enclosures (please identify below):

Fee Transmittal in duplicate (2 pages), Initial Application Data Sheet (2 pages)

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

## Warning

**An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.**

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
**BEAR-006CIP**

Total Pages in this Submission  
**63**

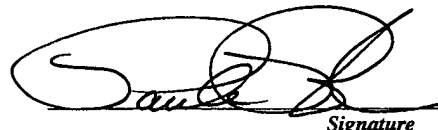
**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

| For  | #Filed | #Allowed | #Extra | Rate      | Fee      |
|--|--------|----------|--------|-----------|----------|
| Total Claims   | 13     | - 20 =   | 0      | x \$9.00  | \$0.00   |
| Indep. Claims  | 1      | - 3 =    | 0      | x \$40.00 | \$0.00   |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |        |          |        |           | \$0.00   |
| BASIC FEE  |        |          |        |           | \$355.00 |
| OTHER FEE (specify purpose)  |        |          |        |           | \$0.00   |
| TOTAL FILING FEE   |        |          |        |           | \$355.00 |

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- ☒ Charge the amount of **\$355.00** as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **March 19, 2001**

  
Signature

**Paula A. Borden, Reg. No. 42,344**  
**Bozicevic, Field & Francis LLP**  
**200 Middlefield Road, Suite 200**  
**Menlo Park, California 94025**  
**Telephone: (650) 327-3400**  
**Facsimile: (650) 327-3231**

CC:

# FEE TRANSMITTAL

Note: Effective October 1, 1998.  
Patent fees are subject to annual revision.

|                        |                           |
|------------------------|---------------------------|
| CUSTOMER NO.           | 24353                     |
| Attorney Docket Number | 006CIP                    |
| Confirmation Number    | Unassigned                |
| First Named Inventor   | Kumagai et al.            |
| Application Number     | Unassigned                |
| Filing Date            | Herewith (March 19, 2001) |
| Group Art Unit         | Unassigned                |
| Examiner Name          | Unassigned                |

## METHOD OF PAYMENT

1. ☒ The Undersigned hereby asserts that Applicants are entitled to Small Entity Status as defined under 37 CFR § 1.27.  
2. ☒ The Commissioner is hereby authorized to charge the following and any additional fees including fees required under 37 CFR 1.16 and 1.17 and credit any overpayments to: Deposit Account No. 50-0815.

Deposit Account Name: Bozicevic, Field & Francis LLP

## FEE CALCULATION

### 1. FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Due  |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 710             | 201            | 355             | Utility filing fee     | \$355.00 |
| 102            | 320             | 206            | 160             | Design filing fee      |          |
| 104            | 490             | 207            | 245             | Plant filing fee       |          |
| 109            | 710             | 208            | 355             | Reissue filing fee     |          |
| 110            | 150             | 214            | 75              | Provisional filing fee |          |
| Subtotal (1)   |                 |                |                 |                        | \$355.00 |

### 2. CLAIMS

| No. of claims as filed<br>or after amendment |    |   | Most claims<br>previously paid |   | Extra<br>claims |   | Fee from<br>below |   | Fee<br>Due |
|--|----|---|--------------------------------|---|-----------------|---|-------------------|---|------------|
| Total claims                                 | 13 | - | 20                             | = | 0               | x | \$9.00            | = | \$0.00     |
| Ind. claims                                  | 1  | - | 3                              | = | 0               | x | \$40.00           | = | \$0.00     |
| Multiple Dependent claims                    |    |   |                                |   |                 | x |                   | = |            |

| Large Fee Code     | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description                                      |
|--------------------|-----------------|----------------|-----------------|--|
| 103                | 18              | 203            | 9               | Claims in excess of 20                               |
| 102                | 80              | 202            | 40              | Independent claims in excess of 3                    |
| 104                | 270             | 204            | 135             | Multiple dependent claim                             |
| 109                | 80              | 209            | 40              | Reissue independent claims over original patent      |
| 110                | 18              | 210            | 9               | Reissue claims in excess of and over original patent |
| Subtotal (2)\$0.00 |                 |                |                 |  |

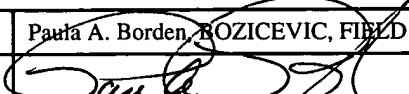
### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   | Fee Due |
|----------------|-----------------|----------------|-----------------|---|---------|
| 105            | 130             | 205            | 65              | Surcharge - late filing fee or oath                       |         |
| 139            | 130             | 139            | 130             | Non-English specification                                 |         |
| 115            | 110             | 215            | 55              | Ext. for reply within first month                         |         |
| 117            | 890             | 217            | 445             | Ext. for reply within third month                         |         |
| 128            | 1,890           | 228            | 945             | Ext. for reply within fifth month                         |         |
| 120            | 310             | 220            | 155             | Filing brief in support of appeal                         |         |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable                          |         |
| 142            | 1,240           | 242            | 620             | Utility issue fee (or reissue)                            |         |
| 123            | 50              | 123            | 50              | Petitions related to prov. appl.                          |         |
| 146            | 710             | 246            | 355             | Filing submission after final rejection (37 CFR 1.129(a)) |         |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action    |         |
| 143            | 440             | 243            | 220             | Design issue fee  |         |
| 581            | 40              | 581            | 40              | Recording patent assignment                               |         |
|                |                 |                |                 | Other fee (specify)                                       |         |

SUBTOTAL (3)\$0.00

TOTAL AMOUNT TO BE CHARGED (\$355.00)

### SUBMITTED BY

|                       |   |                 |                |
|-----------------------|---|-----------------|----------------|
| Typed or Printed Name | Paula A. Borden, BOZICEVIC, FIELD & FRANCIS LLP                                     | Reg. Number     | 42,344         |
| Signature             |  | Date            | March 19, 2001 |
|                       |   | Deposit Account | 50-0815        |

3 - 21 - 01

Box 5EQ

|   |  |                        |                                  |
|---|--|------------------------|----------------------------------|
| <b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>               |  |                        | Docket No.<br><b>BEAR-006CIP</b> |
| Applicant(s): <b>Yoshinari Kumagai, Russel Blacher and Toshiyuki Yoneda</b> |  |                        |                                  |
| Serial No.<br>Unassigned  | Filing Date<br>Herewith (March 19, 2001) | Examiner<br>Unassigned | Group Art Unit<br>Unassigned     |

03/19/01  
JCS90 U.S. PRO

Invention:  
**"Integrin Binding Motif Containing Peptides and Methods of Treating Skeletal Diseases"**

I hereby certify that the following correspondence:

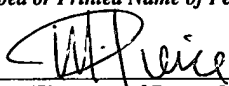
Utility Patent Application consisting of: Utility Patent App. Trans. (4 pgs.), Fee Trans. in duplicate (2 pgs.), Initial Information Data Sheet (2 pgs.), Specification (33 pages), Drawings (6 sheets), Declaration/Power of Attorney (4 pgs.), Sequence Listing (11 pgs.), Certification regarding Sequence Listing (1 page), One Diskette of Sequence Listing, Return Receipt Postcard

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

March 19, 2001  
(Date)

Margaret D. Pierce  
(Typed or Printed Name of Person Mailing Correspondence)

  
(Signature of Person Mailing Correspondence)

EL 563 388 639 US  
( "Express Mail" Mailing Label Number)

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